

REMARKS/ARGUMENTS

Claims 1-5 and 8-18 remain pending in the application, as claims 6, 7 and 19-24 were previously canceled without prejudice. In the Office Action, claims 1, 2 and 8-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0177267 to Orava, et al. (Orava) in view of U.S. Patent Application Publication No. 2004/0090929 to Laux, et al. (Laux) further in view of U.S. Patent No. 5,920,597 to Khayrallah, et al. (Khayrallah) and further in view of U.S. Patent Application Publication No. 2004/0060985 to Feng (Feng). Claims 3-5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ovara in view of Laux further in view of Khayrallah further in view of Feng and further in view of well-known prior art under MPEP 2144.03.

Independent claim 1 has been amended by deleting the reference to “beacon signal,” and independent claim 14 has been similarly amended. Applicants submit that none of the cited references mentions anything about gratuitous probe responses. As such, Applicants believe that the above claims are patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

Date: January 11, 2008

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